

FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(சு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

8108597

C

1. District : **Thoothukudi** PS: **Vigilance and Anti-Corruption Thoothukudi** Year: **2022** FIR No.: **02/2022** Date: **09.02.2022**
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: **Indian Penal Code** Sections பிரிவுகள்: **120(B), 167, 409, 468 IPC**
(ii) Act சட்டம்: Sections பிரிவுகள்:
(iii) Act சட்டம்: **P.C. Act, 1988** Sections பிரிவுகள்: **13(2) r/w 13(1)(c) & 13(1)(d) of P.C. Act, 1988**
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் **22.09.2016** நாள் வரை **11.01.2017**
Time Period : Time from : Time to :
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் **09.02.2022** நேரம் **12.30 hrs**
4. Type of Information : Written/ Oral : **Written**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address : **Kovilpatti, About 60 Kms North,**
முறைக் காவல் எண் முகவரி
- (c) In case outside limit of this Police Station, then the Name of P.S : District :
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்
6. Complainant /Informant (a) Name : **M.Sudha** (b) Father's/ Husband's Name: **R.Lakshmi Narayanan**
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : **21.12.1976** (d) Nationality : **Indian** (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation **Inspector of Police** (g) Address : **Vigilance and Anti-Corruption, Thoothukudi Detachment**
தொழில் முகவரி
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
(1) Tr.C.Stanly Kumar, S/o.Tr.T.Chellan, Formerly Sanitary Officer, Kovilpatti Municipality, Thoothukudi District, Now: Kulithurai Municipality, K.K. District, (2) Tr.A.Sardhar, S/o.K.Abdullah, Formerly Municipal Commissioner, Kovilpatti Municipality, then Kancheepuram Municipality (Not allowed to retire from service on 28.02.2019), (3) Tr.Mayilkarnan (Private Individual), S/o.Tr.S.Ganesan, Registered contractor at the O/o Kovilpatti Municipality, Thoothukudi District, Address: D.No.27/62, Kaliappar Compound, Puthu Road, Kovilpatti.
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையீட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

After completion of Preliminary Enquiry

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report / Un-natural death Case No. if any:
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

--Separate Sheet Attached--

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at item No.2 registered the case and took up the investigation / directed **C.Jayasree** Rank **Inspector of Police** to take up the investigation / Refused Investigation / transferred to PS..... on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து புலனாய்வுக்கு எடுத்துக்கொள்ளப்பட்டது / பணிக்கப்படுதல் பதவி நிலை பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது / மறுக்கப்பட்டு எல்லையைக் கருதி புலனாய்வுக்கு காவல் நிலையத்திற்கு மாற்றப்படுகிறது.

FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

முதலாம் குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court:
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

Name: பெயர்
Rank: நிலை **M.SUDHA** No. எண்

09.02.2022 at 14.00 hrs

**Inspector of Police,
V&AC, Thoothukudi.**

Continuation of the First Information Report of Thoothukudi Vigilance and Anti-Corruption Cr.No.02/2022

Submitted :
Honourable Sir,

I (M.Sudha), Inspector of Police, Vigilance and Anti Corruption, Thoothukudi Detachment, while was on duty on 09.02.2022, I received a confidential official memorandum PE.17/2020/LB/TK, dated:02.02.2022 of Director of Vigilance and Anti – Corruption, Chennai instructing to register a case on the outcome of a Preliminary Enquiry Report and I registered a case in Thoothukudi V&AC Cr.No.2/2022 u/s 120(B) IPC, 167 IPC, 409 IPC, 468 IPC and U/s 13 (2) r/w 13 (1) (c) & 13 (1) (d) of the Prevention of Corruption Act,1988 on 09.02.2022 at 12.30 hrs.

Based on the vigilance report of an Officer of the Directorate of Vigilance and Anti Corruption against the Accused Officers, a Preliminary Enquiry was registered and conducted into the allegations vide DVAC memo P.E. 17/20/LB/TK, dated 24.02.2020. The enquiry revealed the following facts:

The construction of individual household latrines (IHHL) was one of the important components of Total Sanitation Campaign (TSC) introduced by Government of India in 1999. The Total Sanitation Campaign was renamed as Nirmal Bharat Abhiyan in 2012 and now the scheme is again renamed as Swachh Bharat Mission (Gramin). The unit cost of an Individual Household Latrines is now fixed as Rs.12,000/- as per G.O.Ms.No.34, Rural Development and Panchayat Raj (CGS.1) Department, dated 16.03.2015.

This unit cost of Rs.12,000/- is being given to the beneficiaries as Rs.4,000/- by Central Government, Rs.2,000/- by State Government and Rs.2,000/- by the respective Local Body and the balance will be borne by the beneficiaries himself. Thereby Rs.8,000/- is being given as subsidy in order to motivate the formation of Individual Household Latrines.

The beneficiary shall mean any household that does not have access to an individual household toilet or has an insanitary toilet (dry/bahou and single pit latrine).

No other criteria are to be applied. For selection of beneficiary household, initially a campaign to create awareness may motivate beneficiaries to come forward on their own. This should be taken at respective Urban Local Body (ULB) level and followed by accepting a simple application and undertaking, to be verified within 7 days and approved at ULB level. Then ULBs are expected to carry out a house to house survey. Any claims and objections received shall be addressed in a transparent manner and based on this house to house survey, all households practicing open defecation shall be identified and ULB's need to approve either a Household toilet or plan for community toilets for each of such identified household/group of household.

Tmt.Sasikala, The then Commissioner of Kovilpatti Municipality in her proceedings C.No.7194/2015/H1 dt. 15.12.2015 has nominated sanitary supervisors at Ward level for collection of application from the household who are not having latrines. The collected application forms have to be handed over to the Sanitary Inspectors for uploading the application in online after verification. Then the Sanitary officer should verify the uploaded applications and issue work orders. The sanitary inspectors and supervisors shall report the progress of work on day to day basis. The Asst. Engineer/Junior Engineer along with the sanitary inspectors should personally verify the working place and should make entries in the registers about the works and have to arrange for the bills through Municipal Engineer. After completing 30% of the work, ULB contribution of Rs.2,000/- have to be sanctioned to the beneficiary account and when the work has reached lintel level, State Government contribution of Rs.2,000/- has to be sanctioned and after the work was completed Central Government contribution of Rs.4,000/- has to be sanctioned. The beneficiary should submit three sets of photos standing at the place (i) before commencing work (ii) During construction (iii) After completion of work. As the target was not achieved, Tr.A.Sardhar the then Commissioner, Kovilpatti Municipality vide his proceedings in RC No.7194/2015/ H1 dt 26.09.2016 ordered the Officials of Sanitary Section to achieve the target fixed for the Kovilpatti Municipality.

The Accused-1 Tr.C.StanlyKumar worked as Sanitary Officer at the O/o Municipality, Kovilpatti during the period from 25.07.2015 to 31.01.2019. He is public

servant within the ambit and purview of Section 2 (c) of Prevention of Corruption Act, 1988 at the relevant period of occurrence.

The Accused-2 Tr.A.Sardar, Formerly worked as Municipal Commissioner, Kovilpatti Municipality, Thoothukudi District now Kancheepuram Municipality (not allowed to retire from 28.02.2019) during the period from 16.09.2016 to 11.01.2017. He is public servant within the ambit and purview of Section 2 (c) of Prevention of Corruption Act, 1988 at the relevant period of occurrence.

The Accused-3 Tr.Mayilkarnan, is a Private Individual, and a registered contractor at O/o Kovilpatti Municipality from the year 2011.

The allegation against the above said accused:

1. "On 05.01.2017, during his tenure as Sanitary Officer of Kovilpatti Municipality, by defeating the noble purpose of the Scheme "Swachh Bharat Mission (Gramin), envisaged to achieve "Open Defecation Free" status in the country, communicated in GO.Ms.105, Municipal Administration and Water Supply (MA II) Department, Dt.21.07.2015 and by non compliance of the instructions issued by the Commissioner of Kovilpatti Municipality in Proceedings No.Rc.No.7194/2015/H1, Dt.15.12.2015, and thereby by abusing his official position as Public Servant and by illegal means, Tr.C.StanlyKumar created false record as if 4 new Toilets were constructed at the respective houses of (i) Tr.S.Rajadurai, S/o Solomon Dharma Raj, (ii)Selvi.R.Jeyakumari, D/o Rajadurai, (iii) Tr.R.Ravirajan, S/o Rajadurai, and (iv) Tmt.R.Vijaya, W/o Rajadurai, members of same family jointly residing at one house at D.No 10.Mill Street, Kovilpatti, when actually no such 4 new Toilets were constructed, and thereby Tr.C.StanlyKumar enabled the aforesaid 4 ineligible persons to obtain pecuniary advantage of Rs.32,000/- (Rs.8,000/-x 4), being the subsidy amount, sanctioned by the Government for construction of Toilets. Tr.A.Sardhar, (A-2) Formerly Municipal Commissioner, Kovilpatti Municipality, by abusing his official position as Public Servant and by illegal means, without any verification and completion certificate from the Municipal Engineers passed the cheque vide Cheque No 825 dated 04.01.2017 through Axis Bank, Kovilpatti to the beneficiaries who are not eligible for this

scheme, as if the above said work was executed to obtain pecuniary advantage of Rs.32,000/-, being the subsidy amount, sanctioned by the Government for construction of Toilets.

2. On 11.01.2017, during his tenure as Sanitary Officer of Kovilpatti Municipality, by defeating the noble purpose of the Scheme "Swachh Bharat Mission (Gramin), envisaged to achieve "Open Defecation Free" status in the country, communicated in GO.Ms.105, Municipal Administration and Water Supply (MA II) Department, Dt.21.07.2015 and by non compliance of the instructions issued by the Commissioner of Kovilpatti Municipality in Proceedings No.Rc.No.7194/2015/H1, Dt.15.12.2015, and thereby by abusing his official position as Public Servant and by illegal means, Tr.C.StanlyKumar had created false record as if 9 new Toilets were constructed by A-3 Tr.Mayilkarnan at the respective houses of (i) Tmt.Chellamal, W/o Gurusamy, (ii) Tmt.Thalapushpam, W/o Chermakani, (iii) Tmt.Parameswari, W/o Gunasekharan, (iv) Tr.Radhakrishnan, S/o Chelliah, (v) Tmt.R.Jeyalakshmi, W/o Rajkumar, (vi) Tmt.Kasthuri, W/o Thangaraj, (vii) Tmt.Mageswari, W/o Subbiah, (viii) Tmt.M.Machagandhi, W/o Murugesan, and (ix) Tr.S.Gunasekharan, S/o Sekhar, when actually no such 9 new Toilets were constructed, and thereby Tr.C.StanlyKumar enabled the aforesaid 9 ineligible persons to obtain pecuniary advantage of Rs.72,000/- (Rs.8,000/-x9), being the subsidy amount, sanctioned by the Government for construction of Toilets. Tr.A.Sardhar (A-2), Formerly Municipal Commissioner, Kovilpatti Municipality, abusing his official position as Public Servant and by illegal means, without any verification and completion certificate from the Municipal Engineers passed the cheque vide 0828 dt.11.01.2017 to Tr.MayilKarnan, Contractor, (A-3) for 7 beneficiaries except Tmt.Mageswari and Tmt.MachaGandhi, who are not eligible for this scheme, as if the above said work was executed to obtain pecuniary advantage of Rs.56,000/-, being the subsidy amount, sanctioned by the Government for construction of Toilets. Thus A-3 has entered into conspiracy with A-1 and A-2 swindled Rs.56,000/- in the name of 7 beneficiaries.

3. On 22.09.2016, during his tenure as Sanitary Officer of Kovilpatti Municipality, by defeating the noble purpose of the Scheme "Swachh Bharat Mission (Gramin),

envisaged to achieve "Open Defecation Free" status in the country, communicated in GO.Ms.105, Municipal Administration and Water Supply (MA II) Department, Dt.21.07.2015 and by noncompliance of the instructions issued by the Commissioner of Kovilpatti Municipality in Proceedings No. Rc.No.7194/2015/H1, Dt.15.12.2015, and thereby by abusing his official position as Public Servant and by illegal means, Tr.C.StanlyKumar created false record as if two new Toilets were constructed at Door No.23-A, Mill Street, Kovilpatti by i) Tmt.T.TamilSelvi, W/o Thangavel (Mother) and ii) Tr.T.Manikandan, S/o Thangavel (Son) when actually no such 2 new Toilets were constructed, and thereby Tr.C.StanlyKumar enabled the aforesaid 2 ineligible persons to obtain pecuniary advantage of Rs.16,000/- (Rs.8,000/-x 2), being the subsidy amount, sanctioned by the Government for construction of Toilets. Tr.A.Sardhar (A-2), Formerly Municipal Commissioner, Kovilpatti Municipality, abusing his official position as Public Servant and by illegal means, without any verification and completion certificate from the Municipal Engineers passed the cheque vide 0869 dt.22.09.2016 through Axis Bank, Kovilpatti.

4. On 30.11.2016, during his tenure as Sanitary Officer of Kovilpatti Municipality, by defeating the noble purpose of the Scheme "Swachh Bharat Mission (Gramin), envisaged to achieve "Open Defecation Free" status in the country, communicated in GO.Ms.105, Municipal Administration and Water Supply (MA II) Department, Dt.21.07.2015 and by non compliance of the instructions issued by the Commissioner of Kovilpatti Municipality in Proceedings No. Rc.No.7194/2015/H1, Dt.15.12.2015, and thereby by abusing his official position as Public Servant and by illegal means, Tr.C.StanlyKumar created false record as if five new Toilets were constructed by (i) Tr.Paramasivan, S/o Sankareswaran, (ii) Tr.Raja, S/o Shanmugaiah, (iii) Tr.Thirupathi - Venkadasamy, S/o Sethu, (iv) Tr.Murugan, S/o Krishnasamy, (v) Tmt.K.Sudalaivadivoo, W/o Karuppasamy at Kovilpatti, when actually no such 5 new Toilets were constructed, out of them Tmt.Sudalaivadivoo was not sanctioned subsidy, and thereby Tr.C.StanlyKumar enabled the aforesaid 4 ineligible persons to obtain pecuniary advantage of Rs.32,000/- (Rs.8,000/-x 4), being the subsidy amount, sanctioned by the Government for construction of Toilets. Tr.A.Sardhar, (A-2) Formerly Municipal Commissioner, Kovilpatti Municipality, abusing his official position as Public Servant and

by illegal means, without any verification and completion certificate from the Municipal Engineers passed the cheque vide 0884 dt.24.11.2016 to the beneficiaries who are not eligible for this scheme, as if the above said work was executed to obtain pecuniary advantage of Rs.32,000/-, being the subsidy amount, sanctioned by the Government for construction of Toilets.

5. Between 08.12.2016 and 11.01.2017, Two subsidy payment of Rs.16,000/- each were made to the Contractor Tr.Mayilkarnan (A-3) in the names of Beneficiaries (i) Tr.KasiMariappan, S/o Murugesan, and (ii) Tmt.Mariamammal, W/o Edward Muthiah repeatedly in lieu of single payment of Rs.8,000/- each which resulted in excess total payment of Rs.16,000/- each. One new toilet was constructed to Tmt.Mariamammal under this scheme and Rs 16,000/- was refunded by A-3 as per Challan 120. Tr.A.Sardhar,(A-2) Formerly Municipal Commissioner, Kovilpatti Municipality, abusing his official position as Public Servant and by illegal means, without any verification and completion certificate from the Municipal Engineers passed the cheque vide 23066 dt.08.12.2016, 23067 dt.08.12.2016 and vide Cheque 0828 dt.11.01.2017 to the Contractor in the name of beneficiaries, who are not eligible for this scheme, as if the above said work was executed to obtain pecuniary advantage of Rs.8,000/- [Rs.32,000 - (Rs 16,000 + 8,000/-)] being the subsidy amount, sanctioned by the Government for construction of Toilets and pecuniary loss to the Govt. to the extent of Rs 8,000/- was caused by A-1 Tr.C.StanlyKumar and A-2 Tr.A.Sardar and A-3 Tr.Mayilkarnan.

Thus the Preliminary enquiry revealed that, A-1 and A-2 being Public Servant colluded with A-3 had entered into criminal conspiracy to do illegal act of misappropriating the amount allocated to the above mentioned scheme between 22.09.2016 to 11.01.2017 and in pursuance of the same had framed incorrect records, and used the forged documents for the purpose of cheating and committed criminal breach of trust and criminal misconduct and misappropriated the Government funds entrusted to them and under the dominion and control and converted the same to their own use and attained pecuniary advantage for themselves without any Public interest and thus caused loss to the Government to the tune of Rs.1,44,000/-.

The above information collected during Enquiry, discloses that prima facie material are available for commission of cognizable offences u/s 120 (B) IPC, 167 IPC, 409 IPC, 468 IPC and U/s 13(2) r/w 13 (1) (c) and 13 (1) (d) of Prevention of Corruption Act, 1988.

Prior approval as per sec 17 (A) of the Prevention of Corruption Act 1988 as amended by 2018 Act was also obtained from the authority competent as per Govt. letter (D).No.402, Municipal Administration and Water Supply (ME.4) Department, Dated 10.11.2021 to register a regular case against the above said Accused Tr.C.StanlyKumar and Tr.A.Sardhar.

Hence, I am registering a case in, Vigilance and Anti-Corruption, Thoothukudi Cr. No. 02/2022 u/s 120 (B) IPC, 167 IPC, 409 IPC, 468 IPC and U/s 13(2) r/w 13 (1) (c) and 13 (1) (d) of Prevention of Corruption Act, 1988, against accused Tr.C.StanlyKumar, Tr.Sardhar and Tr.G.Mayilkarnan vide DVAC memo P.E. 17/2020/LB/TK dt.02.02.2022

The original F.I.R is submitted to the Hon'ble court of the Chief Judicial Magistrate cum Special Judge, Thoothukudi and as per instructions; I am sending a copy of FIR to Tmt.C.Jayasree, Inspector of Police, Vigilance and Anti-Corruption, Thoothukudi for taking up investigation and copies of the FIR are sent to the officers concerned.



M. Sudha
9.2.2022.
M. SUDHA
Inspector of Police
Vigilance & Anti Corruption
Thoothukudi.